

Appl. No.: 10/823,066  
Amdt. Dated: July 14, 2006  
Reply to Office Action dated: February 14, 2008

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**REMARKS/ARGUMENTS**

The applicants wish to thank the examiner for the courtesy of the interview granted on June 13, 2006.

Claims 1, 2, 4-15, 17-31 and 35 are rejected under 35 USC 102(b) as anticipated by Seibert et al. (US 5,353,949), ("the '949 patent"). The '949 patent discloses a vent assembly having a metal body, an aperture and a porous metal filter material covering the aperture. The filter material is "fabricated by piercing a circular disk of a porous metal filter medium from a sheet material." (Col. 8 ll. 40-45). In the '949 patent, the filter material is welded over the aperture to provide a seal. "The means for retaining the filter (90) in the flow path may comprise welding." (Col. 8, ll. 55-57).

Claims 1-9, 11-15, 17-22, 24, 26-31, 34 and 35 are rejected under 35 USC 102(b) as being anticipated by Closkey (US 6,464,425) ("the '425 patent"). The '425 patent discloses a vent assembly including a metal body and an aperture for the passage of fluid. The aperture is covered by a membrane. In the various embodiments described by the '425 patent the membrane is sealed to the metal body by incorporating a sealing element. Sealing elements are represented by elements 111 (Fig. 6); 211 (Fig. 7); 311 (Fig. 9); and 411 (Fig. 10). Sealing elements are described as improving the water tight seal between the venting structure and flange and to reduce abrasion of the water-repellent gas-permeable material which contacts the flange. (Col. 5, ll. 55-60). A sealing substance, such as caulk or silicone or polyurethane composition may be preferred. In another aspect, the vent described in the '425 patent includes a stiffening ring (15) which is compressed between the flange in the vent body. "Cover 103 is placed onto frame 105 so that stiffening ring 15 is squeezed between cover 103 and the upper surface of flange 108". The '425 patent describes an apparatus and method for minimizing liquid entry into manhole covers.

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The invention claimed in the present application is an all metal vent assembly incorporating a polymeric membrane that is sealed over an aperture which provides fluid flow. The membrane is sealed over the aperture without additional elements such as gaskets, sealing rings, or adhesives. The prior art and specifically the references cited in the present office action all teach that a sealing element or adhesive should be using to create a water-tight seal between a metal vent body and a polymeric membrane. Thus, it was previously unknown that a seal could be made by compressing the polymeric membrane material between two all metal bearing surfaces as is claimed in the present application.

By avoiding the use of sealants and gasketing materials the present venting assembly is uniquely suited to venting in corrosive environments and high temperature applications. Adhesives and sealing elements may degrade in such environments making them the weak link in the moisture proof seal. By sealing the polymeric membrane material between an upper bearing surface and lower bearing surface constructed of metal such as stainless steel the present reclaimed venting assembly overcomes the limitations over the prior art.

Respectfully submitted,

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